REMARKS

The Office Action mailed August 18, 2010 noted that claims 1, 3, 7-9, 11, 13, 17-19 were pending and rejected all claims. Claims 1, 3, 7-9, 11, 13 and 17-19 remain pending. The rejections are traversed below.

Double Patenting Rejections

In items 3 and 4 on pages 2-5 of the August 18, 2010 Office Action, claims 1 and 11 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 5 and 12 of U. S. Patent No. 7,131,577 to Obara et al. and claims 3 and 12 of U. S. Published Patent Application No. 11/103,450 by Obara et al. (hereinafter Obara '450), both in view of U. S. Patent No. 7,025,255 to Drummond et al. Since Obara '450 has not yet issued as a patent, and since the claims of this application have not yet been indicated as allowable over Drummond et al., it is believed that any submission of a Terminal Disclaimer or arguments as to the non-obvious nature of the claims would be premature (see, MPEP 804.(I)(B)). As such, it is respectfully requested that the Applicants be allowed to address any obviousness-type double patenting issues remaining once the rejection of the claims under 35 U.S.C. § 102 is resolved and further that the obviousness-type double patenting rejection be reconsidered in light of the amended claims presented above and the distinctions over Drummond et al. discussed below.

Objection to Claims

In item 5 on page 5, the August 18, 2010 Office Action objected to claims 1 and 11 due to difficulty in construing the phrase "defined by processing of said transaction operation". This exact phrase cannot be found in claims 1 and 11 as previously presented. However, the phrase "defined by processing of said transaction operation" has been amended to "for each processing of said transaction operations" (e.g., claim 1, lines 13-14) in the hope that the Examiner will find it easier to construe this phrase. If not, the Examiner is respectfully requested to contact the undersigned by telephone to arrange an Interview for the purpose of finding acceptable claim language more quickly than by exchanging written documents.

Rejection under 35 U.S.C. § 102

In item 7 on pages 6-11 of the August 18, 2010 Office Action, claims 1, 3, 7-9, 11, 13 and 17-19 were rejected under 35 U.S.C. § 102(e) as being anticipated by Drummond et al. No explanation for the continued rejection of the claims was provided in the "Response to

Arguments" in item 8 on pages 11-13. Instead of being a response to the arguments in the July 12, 2010 Amendment, as implied by the section heading, it was stated that "since the argument refers to a newly added limitation, the argument is considered largely moot" (page 11, lines 18-19).

It is submitted that the "Response to Arguments" in the August 18, 2010 Office Action was improper. What was filed on July 12, 2010 was not a Request for Reconsideration in which the arguments are limited by "the very language ... prosecuted in the previous Office Action" (August 18, 2010 Office Action, page 11, lines 12-13). Instead, what was filed on July 12, 2010 was an Amendment accompanied by a Request for Continued Examination which should have resulted in an Office Action that addressed the amended claims and did not dismiss any arguments supported by the amended claim language.

Since the "Response to Arguments" section of the August 18, 2010 Office Action did not provide any response to the amended claim language and arguments in the July 12, 2010 Amendment, Applicants have compared the wording of the rejections in the August 18, 2010 Office Action word-for-word with the rejections in the February 12, 2010 Office Action to determine where the rejections were modified in light of the amended claim language. The only changes that have been found, other than changes to the paraphrased claim language corresponding to the amendments, were on pages 7 and 8. On page 7, "col. 10 lines 52-61, col. 11 lines 8-12" on line 13 and the last five and a half lines on page 7 were added. On page 8, "col. 10 line 50 to col. 11 line 12" on line 5 was added.

In the text added to what was stated in the February 12, 2010 Office Action, the August 18, 2010 Office Action asserted that column 10, line 50 to column 11, line 12 of Drummond et al. discloses "having a plurality of method programs, defined by processing of said transaction operation, each of which synchronously controls said plurality of I/O units" (August 18, 2010 Office Action, page 7, lines 17-18). Due to the lack of comments in the "Response to Arguments," Applicants do not understand why the Examiner believes this portion of Drummond et al. discloses "method programs, ... each of which synchronously controls said plurality of I/O units" as previously recited in claim 1. All that was found in this portion of Drummond et al. was a description of JAVA applets, each of which is operable to control and keep track of the status of only one of the devices with which they are associated. For example, these JAVA applets are described as controlling "functions such as ... operating the receipt printer mechanism, ... operating the sheet dispenser mechanism" (column 10, line 63 to column 11, line 1), etc. The description of how the receipt printer mechanism and the sheet dispenser mechanism are

controlled by JAVA applets are respectively provided at column 59, lines 18-31 with reference to Fig. 51 and column 57, lines 47 with reference to Fig. 45. The description of how operation of the sheet dispenser and receipt printer are synchronized is provided at column 59, lines 36-52 with reference to Fig. 52.

In an effort to further clarify the distinctions between the invention and what is disclosed in Drummond et al., claims 1 and 11 have been amended to recite features of the exemplary embodiment described at page 20, line 21 to page 22, line 3 and page 23, line 5 to page 24, line 21, with reference to Figs. 7, 9 and 10. As presently presented for examination (with limitations that should not be disregarded as the August 18, 2010 Office Action stated that the limitations in the July 12, 2010 Amendment were disregarded), claim 1 ends by requiring "a synchronous agent applet comprising a plurality of method programs for each processing of said transaction operations" (claim 1, lines 12-14), where "each of said method programs synchronously con-trol... [a] plurality of I/O units" (claim 1, lines 14-15) and "said browser ... interprets said script and said applet tag embedded in said screen content and calls up one of said method programs of said synchronous agent applet according to said script and said applet tag" (claim 1, lines 15-19).

Nothing has been found in Drummond et al. (including the paragraph spanning columns 10 and 11 which was cited in the text added to the February 12, 2010 Office Action) that teaches or suggests the features recited in lines 12-19 of claim 1 which are quoted in the preceding para-graph. Rather Drummond et al. describes a "sync object 284 ... [which] provides synchroniza-tion between tasks[, such as] ... to dispense cash and print a receipt at the same time" (column 59, lines 36-40). "This is accomplished by connecting the operation events of the dispenser object 270 and the printer object 282 to the methods in the sync object" (column 59, lines 41-44). Thus, Drummond et al. does not describe that "**each** of said method programs synchronously control ... [a] plurality of I/O units" (claim 1, lines 14-15, emphasis added), but rather that at least one additional layer of software, the sync object, is required to synchronize the operations of multiple devices. The claimed invention, as discussed in previous Amendments, including the July 12, 2010 Amendment, is directed to a system and method that among other features provides faster processing of an ATM transaction, by "each called method program issuing I/O commands to said plurality of I/O controllers, [and] synchronously controlling said plurality of I/O units designated by said called method program" (claim 1, lines 19-21). Since the method programs issue the I/O commands, there are no layers of software between the method programs and the I/O controllers.

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Thus, it is submitted that claim 1, as well as claims 3 and 7-9 which depend therefrom, patentably distinguish over Drummond et al. for at least the reasons discussed above.

Claim 11 recites "a synchronous agent applet comprising a plurality of method programs for each processing of said transaction operations" (claim 11, lines 17-19), where "each of said method programs synchronously control... [a] plurality of I/O units" (claim 11, lines 19-20) and

> said browser ... interprets said script and said applet tag embedded in said
> screen content and calls up one of said method programs of said synchronous
> agent applet according to said script and said applet tag, each called method
> program issuing I/O commands to said plurality of I/O controllers, [and]
> synchronously controlling said plurality of I/O units designated by said called
> method program

(claim 11, last 7 lines). Thus, it is submitted that claim 11, as well as claims 13 and 17-19 which depend therefrom, patentably distinguish over Drummond et al. for at least the reasons discussed above with respect to claim 1.

Next Office Action Should Not Be Final

As discussed above, it is submitted that the August 18, 2010 Office Action, in particular, the Response to Arguments, did not properly respond to the Amendment filed July 12, 2010. Therefore, it is submitted that if the rejection based on Drummond et al. is not withdrawn, the next Office Action should not be made final, because the August 18, 2010 Office Action stated "the arguments are either inconclusive or moot in view of Applicant's reference to ... newly added claim language" by which it is understood that claim language (and corresponding arguments) in the July 12, 2010 Amendment were ignored.

Summary

It is submitted that Drummond et al. does not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1, 3, 7-9 11, 13, 17-19 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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